

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: AUGUST 6, 2008**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ Consent ☒ Discussion**SUBJECT:**

SUP-28131 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: YONATAN MABAT - OWNER: THE JUNIOR CORP. - Request for a Special Use Permit FOR A PROPOSED SECONDHAND DEALER at 806 South Las Vegas Boulevard (APN 139-34-410-158), C-2 (General Commercial) Zone, Ward 3 (Reese). NOTE: To be heard in conjunction with Morning Session Item 54. The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Submitted after Meeting – Recordation Notice of Council Action and Conditions of Approval
7. Backup Referenced from the 06-26-08 Planning Commission Meeting Item 19

Motion made by GARY REESE to Approve subject to conditions and adding the following condition as read for the record:

- A. There shall be a six-month administrative review after issuance of business license.

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN,  
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

**Minutes:**

MAYOR GOODMAN declared the Public Hearing open for Items 109 and 54.

COUNCILMAN REESE asked why the applicant requires a second-hand dealer license.

CAROL MEYER, Business Services Supervisor, replied that the applicant wants the ability to

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buy second-hand goods and resell them. Additionally, the applicant is planning on buying items from the public. Anytime the public is allowed to come in and sell items, the City of Las Vegas Municipal Code requires a second-hand license.

MS. MEYER indicated that the applicant received an area of concern on his investigative report. She introduced DETECTIVE STACEY RODD, Las Vegas Metropolitan Police, Special Investigation Section, who reported that the primary concern is with the \$500,000 investment capital that has yet to be accounted for. He confirmed that a loan does not exist. An investment of this scale would require validation. He asked the applicant for his financial records with regards to his tax returns to see if his business can generate the revenue to support the business. He did a calculation and found that there is a deficit of \$1,800 per month, which further causes concern, especially when the applicant cannot show the source of the capitalization of \$500,000.

YONATAN MABAT stated he does not have the funds and the \$500,000 figure is the capital of the business forecast for the future. The business is an eBay store, and he requires that the people bring the items to him rather than taking a picture. COUNCILMAN REESE asked DETECTIVE RODD if it is possible that MR. MABAT misunderstood the question. DETECTIVE RODD replied that the question asked in the financial history questionnaire specifically asks what the amount and the source of funding that will be invested in the business. The question does not make any reference to the amount of investment expected in five to ten years.

MR. MABAT rebutted that the question was “what is the amount to be invested into the business venture.” He hopes in the next several years to be able to invest this amount of money.

DETECTIVE RODD added that during the course of the investigation, he asked MR. MABAT, who represents himself both in the documents and verbally, as the sole owner, sole licensee and the only person involved in the business, specific questions about his business plan, his operational foresight and, what he envisions about the business and type of operation. Routinely, every question was answered “we”. After hearing this he pointed out to MR. MABAT that he always answered “we” and MR. MABAT told him that that was a mistake. When the Detective asked him if there was a “we”, who would that be, MR. MABAT replied that he gets moral support from his parents. DETECTIVE RODD went on to find out that a letter indicated his parents are involved in the business. Further investigation revealed that his father previously owned a gold distribution business, which is in line with what MR. MABAT initially tried to get licensed to sell jewelry. When that application was denied, then a second application was submitted for the second-hand dealer. The reference to “we” and the fact that his family was in the gold business tends to get someone thinking in that direction.

COUNCILMAN REESE stated that MR. MABAT’S mother called his office and told his staff that she wants her son to succeed. DETECTIVE RODD replied that some information indicated that the mother said they have a lot invested in the business, which lends him to believe there are others involved. MR. MABAT clarified that his father was never involved in the business. He

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stated that replying to “we” is something he does and is used as a safety measure so people will not know he is by himself in the store.

MR. MABAT verified for the Mayor that he was arrested once two years ago, and he paid a \$400 fine for a misdemeanor. MAYOR GOODMAN clarified with DETECTIVE RODD that the misdemeanor was for being obstructive with an officer. He added that the applicant previously owned and operated a business and when the City Marshal went to investigate the operation, they found drug paraphernalia. The applicant was told that it had to be removed, and after the third visit it was removed. The same was found at the current premises, but he is not aware if the applicant was charged. MR. MABAT argued that the business was not closed by the police, and that he moved because he found a better location on Las Vegas Boulevard. The questionable items found by City officials were removed.

COUNCILMAN REESE appreciated DETECTIVE RODD’S due diligence. He would like to give MR. MABAT a chance and staff can investigate for any drug paraphernalia. If anything is found, the applicant will come back and his license will be taken away.

MAYOR GOODMAN declared the Public Hearing closed for Items 109 and 54.

